IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

COMPANY PETITION NO. 298 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 800 OF 2005

In the matter of the Scheme of Amalgamation of Airavat Transport Pvt. Ltd. and others.

Airavat Transport Pvt. Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 299 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 801 OF 2005

Ashwa Transport Pvt. Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 300 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 802 OF 2005

Bihar Warehousing Pvt. Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 301 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO.803 OF 2005

Dhanashri Warehousing Pvt.Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 302 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 804 OF 2005

Dream Flower Transport Pvt.Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 303 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 805 OF 2005

Grapevine Growth Construction Pvt.Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 304 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 806 OF 2005

Hamir Trading Pvt.Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 305 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 807 OF 2005

Lotus Fragrance Traders Pvt.Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 306 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 808 OF 2005

Patdeep Construction Pvt.Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 307 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 809 OF 2005

Suryavanshi Trading Co.Pvt.Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 308 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 810 OF 2005

Topaz Warehousing Co. Pvt. Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 309 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 811 OF 2005

Mamli Pvt. Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 310 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 812 OF 2005

Somaiya Sugar Works Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 311 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 813 OF 2005

Sugar Selling Agencies Pvt. Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 312 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 814 OF 2005

Jupiter Warehousing Pvt. Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 313 OF 2006
CONNECTED WITH
COMPANY APPLICATION NO. 815 OF 2005

Somaiya Bharaktiya Pvt.Ltd. ... Petitioner.

WITH

COMPANY PETITION NO. 314 OF 2006

CONNECTED WITH
COMPANY APPLICATION NO. 816 OF 2005

Somaiya Agencies Pvt. Ltd. ... Petitioner.

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Mr. C.J. Joy with G.C. Mishra for the Regional Director.

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CORAM : DR.D.Y.CHANDRACHUD, J.

4TH MAY, 2007.

P.C. :

. The sanction of the Court is sought to a Scheme of Amalgamation under Sections 391 to 394 of the Companies Act, 1956. There are 16 Transferor Companies who are the Petitioners before the Court in Company Petitions 298 to 313 of 2006. The Transferee is the Petitioner before the Court in Company Petition 314 of 2006.

2. All the equity shareholders of the Transferors and the Transferee are stated to have granted their consents. The Company, the Court has been informed has no secured creditors. The Transferors in Company Petitions 298, 300, 302, 309, 312 and 313 of 2006 have no unsecured creditors. The unsecured creditors of the Transferors in Company Petitions 299, 301, 310 and 311

of 2006 have communicated their consents. Similarly, the Transferee has no secured creditors while its unsecured creditors have communicated their consents.

3. The Regional Director has stated that the affairs of the Transferor Companies and the Transferee have not been carried out in a manner contrary to the public interest or to the interest of the shareholders or creditors and there is no objection to the scheme. The Official Liquidator has also stated that there is no objection to the scheme if sanctioned.

4. Since all the statutory compliances have been effected and there is no objection to the scheme as proposed, there is no reason why permission should not be granted as prayed.

5. Company Petitions 298 to 313 of 2006 are made absolute in terms of prayer clauses (a) to (j).

6. Company Petition 314 of 2006 is made absolute in terms of prayer clauses (a) to (x).

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